FARAD CONTINUATION SHEET NO.:

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE

Cri.Application No.1446 of 2006
(Narendrakumar A Baldota Vs. State & anr)

Office Notes, Office Memoranda of coram, appearances, Court's orders or directions and Registrar's orders.	: Court's or Judge's orders.

Mr R. Sathyanarayan, for the applicant.
MrsM.H.Mhatre, APP for the respondent.

CORAM: D.B.BHOSALE,J.
DATED: 20.06.2006

P.C.:

Heard the learned counsel for the applicant and the learned APP for the respondent.

This application is directed against the order of issuance of process dated 30.8.2005 against the applicant under section 150 of IPC. The applicant has approached this Court directly without exhausting an efficacious remedy of revision available under section 397 of the Code of Criminal Procedure before the Sessions Court against the impugned order. This Court in **V.K.Jain and others Vs Pratap V Padode and Anr, 2005 (3) Mh.L.J.778,** while dealing with similar petition considered several judgments of the Apex Court and has held that the order of issue of

process is not an interlocutory order and hence the revision against such order is maintainable. In the circumstances, this application is disposed of with liberty to the applicant to file revision before the appropriate Court against the order impugned in the instant application. If such revision is filed, same may be considered in accordance with law. The application is, accordingly, disposed of.

(D.B.BHOSALE,J.)